

United States District Court

MIDDLE DISTRICT OF ALABAMA 2019 JUL 30 P 1:25

In the Matter of the Search of
(Name, address or brief description of person or property to be searched)

One brown box addressed to:

Jennifer Bell
864 Leicester Dr.
Montgomery, AL 36116
USPS tracking: EJ 053 459 938 US

**APPLICATION AND AFFIDAVIT
FOR SEARCH WARRANT**

CASE NUMBER: 2:19 mj 251-SRW

I, C. L. Phillips being duly sworn depose and say:

I am a(n) United States Postal Inspector and have reason to believe
Official Title

that ☐ on the person of or ☒ on the premises known as (name, description and/or location)

One brown box addressed to Jennifer Bell, 864 Leicester Dr., Montgomery, AL, 36116,

in the Middle District of Alabama

there is now concealed a certain person or property, namely (describe the person or property)
controlled substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails,
including money and/or monetary instruments consisting of payment and/or proceeds relative to the distribution of
controlled substances

which is (give alleged grounds for search and seizure under Rule 41(b) of the Federal Rules of Criminal Procedure)

contraband, the fruits of a crime or thing otherwise criminally possessed,

in violation of Title 21 United States Code, Section(s) 841(a)(1) and 843(b)

The facts to support the issuance of a Search Warrant are as follows:

See attached affidavit (ATTACHMENT 1) incorporated herein by reference and made part of this application.

Continued on the attached sheet and made a part hereof.

☒ Yes ☐ No


Signature of Affiant

Sworn to before me, and subscribed in my presence

JULY 30, 2019
Date

at

MONTGOMERY, ALABAMA
City and State

SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT
ATTACHMENT 1

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I, C. L. Phillips, U.S. Postal Inspector, depose and state:

1. I am a Postal Inspector with the United States Postal Inspection Service (USPIS), and have been employed in this capacity since April 2012. I am currently assigned to the Houston Division's Montgomery, Alabama domicile. I am an "investigative or law enforcement officer" within the meaning of Title 18, United States Code, Section 2510(7). That is, I am an officer of the United States who is empowered by law to conduct investigations and to make arrests for crimes furthered through the use of the United States Mail or in connection to the United States Postal Service (USPS), property of the USPS, and other postal offenses, as set forth in 18 U.S.C. § 3061.
2. This affidavit is written in support and as part of an application for a search warrant to search one parcel currently in the custody and control of the USPIS. The information contained in this affidavit is based on my personal knowledge and observations, on information conveyed to me by other individuals, including law enforcement officials and postal employees, as well as on my review of records, documents, and other physical evidence obtained. This affidavit only contains information necessary to support probable cause for a search warrant and is not intended to include every fact observed by your affiant or known to the government.
3. Prior investigations by U.S. Postal Inspectors have determined that the U.S. Mails are being used to transmit controlled substances and proceeds from controlled substances. Postal inspectors have intercepted drug parcels being mailed to Alabama and to other areas in the country. I have also been involved in numerous investigations where drug proceeds packages were seized en route to drug source locations via the U.S. Mail. My training and previous experience has made me familiar with the method and manner that drug traffickers use to move illegal drugs and drug proceeds through the U.S. Mail.
4. Your affiant is aware the distribution of illegal drugs and narcotics and narcotics proceeds from the sales of these illegal drugs and narcotics through the U.S. Mail can make USPS employees and facilities targets of crimes during the unknowing delivery of drug or proceeds packages. Your affiant is also familiar with cases where USPS employees have been targeted for robbery because of packages known to contain illegal drugs and/or proceeds from the distribution of illegal drugs.
5. On July 26, 2019, postal management contacted postal inspectors about Priority Mail Express EJ 053 459 938 US, hereafter **PME38US**. According to management, the package, addressed to 864 Leicester Dr., Montgomery, AL, 36116, is addressed to an address that does not receive mail; postal management believes the residence is vacant. On same date, postal inspectors intercepted **PME38US** to conduct additional investigations.

6. The parcel in question is described as follows:

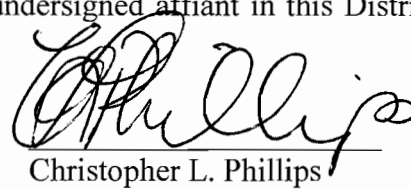
- | | | |
|----|-----------------|--|
| a. | Addressed To: | Jennifer Bell
864 Leicester Dr.
Montgomery, AL 36116 |
| b. | Return Address: | Jeremy Bell
5233 W. 11 St.
Greeley, CO 80634 |
| | | Tracking Number:
EJ 053 459 938 US |

7. A computerized records check regarding the names and addresses on the parcel was completed. According to the records check, neither the addressee nor sender are associated to the delivery or return address. Based on your affiant's training and experience, persons involved in the distribution of controlled substances, via the U.S. Mail, will use fictitious or incomplete address information in an attempt to disassociate themselves from the controlled substances.

8. On July 29, 2019, the box was examined by narcotics detection canine "Ace," handled by Lt. Richard Talley from Alabama Department of Corrections. During the examination, "Ace" alerted to the parcel, indicating the box contained the scent of controlled substances. "Ace" is a male Belgian Malinois approximately four years old, and has been working as a K9 narcotics detector dog since 2013. "Ace" participates in a minimum of 16 hours of in-service training per month, as well as routine usage. Per his handler, Lt. Richard Talley, "Ace" was certified through Central Alabama Police K-9 Training Association, Inc., and Alabama Canine Law Enforcement Officer's Training Center, Inc. "Ace" is certified to detect cocaine, marijuana, heroin, methamphetamine, crack, and MDMA. Lt. Talley has been a canine narcotic handler with Alabama Department of Corrections for approximately nine years and has worked with "Ace" for approximately three years. Lt. Talley has confirmed the K-9's credibility and reliability. "Ace" has successfully alerted hundreds of times during training and real life situations. "Ace" is available seven days a week to conduct drug sniffs for Alabama Department of Corrections and other outside agencies. "Ace" has several narcotic arrests.


9. Based on the facts set forth in this affidavit, and based on my training and experience, there is probable cause to believe the parcel contains controlled substances and/or narcotics trafficking proceeds. As a result, your affiant respectfully requests the issuance by the court of a search warrant directing the search of the parcel described above. Additionally, your affiant requests the seizure of the parcel, controlled substances, currency, and/or negotiable instruments contained therein. Your affiant also requests the seizure of any additional enclosed materials recovered during the search of the parcel, which may represent evidence of the distribution of controlled substances, to include evidence as to the identity of the source of the packages and/or the recipient thereof, all in violation of 21 U.S.C. § 802, 813, 841(a)(1), 843(b), and 846.

10. **PME38US** has remained in the custody of the undersigned affiant in this District pending application for a search warrant.



Christopher L. Phillips
U.S. Postal Inspector

Sworn to and subscribed before me this
30th day of July, 2019, in
Montgomery, AL.



SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE